

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

RONALD LEE BENNETT,	)	
	)	
Petitioner,	)	Civil No. 05-247-TC
	)	
v.	)	FINDINGS AND RECOMMENDATION
	)	
ALBERTO GONZALES, Attorney General,	)	
United States Department of Justice;	)	
CHARLES DANIELS, Superintendent,	)	
FPC Sheridan; and the UNITED STATES	)	
BUREAU OF PRISONS,	)	
	)	
Respondents.	)	
_____	)	

COFFIN, Magistrate Judge.

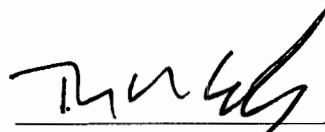
Presently before the court is the petition for habeas corpus relief (#1), in which he seeks an immediate transfer from FPC Sheridan to home confinement or halfway house placement.<sup>1</sup>

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<sup>1</sup>In his petition, petitioner has named as respondents the Attorney General of the United States, the Superintendent of FPC Sheridan, and the Bureau of Prisons. However, pursuant to 28 U.S.C. § 2242, the only proper respondent is the person who has custody over petitioner, in this case

However, the relief available to him - i.e., consideration of the appropriateness of such placement (see, e.g., Cook v. Gonzales, 2005 WL 773956 (D. Or. April 5, 2005); Wiederhorn v. Gonzales, 2005 WL 1113833 (D. Or. May 9, 2005) - has already been granted, and petitioner is scheduled for transfer to a halfway house on June 17, 2005. As such, the petition should be denied as moot.

DATED this 16 day of June, 2005.



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Thomas M. Coffin  
United States Magistrate Judge

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Charles Daniels, the FPC Sheridan Superintendent. Therefore, respondents Gonzales and the Bureau of Prisons should be dismissed from this action.

2 - FINDINGS AND RECOMMENDATION